G. R. S. App. F. IX-4]

1942.

File No. 2 - 42

Previous References. (Pols)

Serial Nos. 22

Later References. P

PRESERVED

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One

Part B for November 1942

SUBJECT.

Recommendation No. 162 of the Prison Reforms Committee re:- Prisoners power of disposing of a part of his gratuity.

G. O. No. P. 2690-700 dated 10th October 1942

To.

The I. G. of Prisons.
" Comptroller to Govt
" District Magistrates of Districts
" Press Table.

Passes orders re: ———

1901/41

General and Revenue Secretariat | File No. | of 194 | [App. F. III—2

Serial No.

Recommendation No.162 of the Prisons Reforms Committee.

In para 10 of Chapter VII of their Report the Prison Reforms Committee recommended that a prisoner should be permitted to dispose of a certain portion of his gratuity, not exceeding one half, for his own needs and comforts in Jail, and the rest should be accummulated for his benefit and made over after the expiry of his sentence.

2/ The Inspector General of Prisons agrees with the Committee and suggests that a rule may be framed to the effect.*

Flag Y.

3/ The concession recommended by the Committee is limited in Madras only to conduct warders and overseers who are allowed to spend at their option any amount upto half the amount of the monthly gratuity earned by them in the purchase of tobacco, snuff and, subject to the approval of the Medical Officer and the Superintendent, eatables in moderate quantities, for strictly personal requirements provided that the distribution and use of these purchases is so regulated as to prevent other prisoners from having a share in them.(Vide Madras Rule 342 A).

4/ In Mysore however such a concession is allowed to all prisoners in respect of the gratuity earned fo extra work done by them (Vide Rule 7 of Appendix III-

NOTE—Contn. Sheet.

WD 94155—GPB—55,000—23-10-41

Prison Reforms 340/41

Per File No. 62 of 194 | General and Revenue Secretariat

Serial No.

5A) The recommendation of the Committee in net effect is to extend this concession ~~was~~ even to the ordinary gratuity earned under the remission system. As the concession obtains in respect of one form of gratuity it may be extended to the other also as suggested by the Committee.

MMV 23/6

(c) The original file leading to the issue of these rules has been submitted in another connection.
MMV 23/6

DEWAN'S OFFICE 11. JUL. 1942 No. S-494 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW D. JUL 9 1942 No. 295

Law Secy)

5) The recommendation of the Committee is reasonable & may be accepted

Ans 9-7-42
MMV 9/7

Minister for Law & Dewan.

6) Agreed
WJ

MMV 16/7/42

Ans 15-7-42
MMV 16/7

7) Draft G.O. submitted for consideration
MMV 23/7

Please Type draft & put up.
MMV 16/7

GEOY. L. 9.00 23 JULY 1942 GOVT OF MYSORE

Law Secy) 8) please put up a typed draft as revised

Ans 23-7-42
MMV 24/7

Recommendation no. 162 of the Prison Reforms Committee. (3

General and Revenue Secretariat

Pr File No. 6 of 194 1. [App. F. III—3

Serial No.

10) Such a note a typed draft

25/7/42 Law Secy)

1) May be approved

4-8-42

2) Please speak to me. The draft is not to my mind

21-8-42

SECY. LAW DEPT. 1362 1942 MYSORE

LAW

AUG 5 1942

No. 1176

b/ Under the Jail Manual Rules, two kinds of monetary payments are made to convicts. The first one is made to all convicts coming under the remission system, one anna per mensem being given to those belonging to the Second Class, an anna and a half to those of the First Class and slightly higher sums graduated according to their ranks to convict night-watchmen, convict overseers and convict warders (Rules 314. 316, 317 and 321) The expression "gratuity" is not used in respect of this payment except in the case of convict night-watchmen, convict overseers and convict warders, and there is no rule regulating the xxxxxx manner in which the amounts thus paid

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

4/ Recommendation no. 162 of the Prison Reforms Committee

File No. 7 of 194 2 → General and Revenue Secretariat.

Serial No.

paid may be disposed of by the recipients.

7/ The other kind of payment is the one allowed to all convicts for extra work done by them on tasked labour (Rule 361 A(i)). The expression "gratuity" is used for denoting this payment, and prisoners are permitted to utilise up to half the amount of the monthly gratuity earned by them for purchasing small comforts such as tobacco, snuff, jaggery, sweets etc., in moderate quantities for strictly personal requirements (Rule 361 A(7)).

8/ The recommendation of the Committee under reference, viz., No. 162, deals with the first kind of payment, in respect of the disposal of which there is at present no rule. Draft making this point clear is submitted for consideration.

HKV 8/10

Law Secy.)

9/ May be approved

8-10-42

HKV 8/10

Minister for Law

8/10

8-10-42

HKV 10/10

Issue G.O No. P 2690-2700 dated 10.10.1942 - B 12/4

OFFICE OF THE MINISTER FOR LAW
OCT 8 1942
No. 3088

SECY. LAW DEPT. 1006 12 GOVT OF MYSORE

5

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:—

Government Order No.G.2227-36/Pris.27-28-11 dated 19th August 1930 sanctioning the scheme for the remuneration for extra work done by prisoners.

2. Recommendation No.158 of the Prison Reforms Committee regarding the conversion of gratuity earned by prisoners into remission of sentence, and the views of the Inspector General of Prisons thereon.

O R D E R NO.F 882-83/Pris 2-42-9

Dated, Bangalore, the, 4th August 1942.

Under the scheme sanctioned in the Government Order read above, convicts have the option of converting the gratuity earned by them for extra work on remunerative labour into remission of sentence calculated at four annas per day. The Prison Reforms Committee recommend in para 5 of chapter VII of their Report that the rate may be fixed at two annas per day, thereby allowing of a longer period of remission being earned by reason of specially industrious work. The Committee further recommend that the same rate of remission may be allowed in the case of convicts sentenced to terms of two years and below, in lieu of any gratuity earned, as in British India. The Inspector General of Prisons agrees with the Committee.

Government are pleased to accept the recommendations of the Committee. They consider that the language of the rules regulating the payment of remuneration for extra work done by prisoners, which are now given in Appendix III-5(a) of the Jail Manual, require slight modification, and that the Rules may be transferred so as to form part of Chapter XXIV of the Jail Manual. Government accordingly direct the following amendments in the rules contained in

contd)

in the Jail Manual-

1) Substitute the following for rule 361---

"All Jail labour shall be divided into three main classes--hard, medium and light. The scale of tasks, arranged according to these classes shall be as printed in Appendix, III-B".

2) Insert the following as rule 361 A.---

"361 A (1) Prisoners employed on remunerative labour and who work in excess of the prescribed scale of tasks and up to the standard, shall be entitled to earn gratuity at the following rates--

For half a day's hard labour task extra in a week--one anna.

For one day's hard labour task extra in a week--two annas.

Note:- No prisoner passed for medium or light labour shall be permitted to do extra work on the alloted task without the sanction of the Medical officer, recorded in the prisoner's history sheet.

(2) The amount of gratuity thus earned shall be credited to the prisoner's account until the sum reaches Rs.5/-, and any money subsequently earned may be remitted, at the discretion of the Superintendent, to the prisoner's relatives at his desire or with his consent.

(3) If a prisoner wishes to have remission of sentence in lieu of money, he may convert the gratuity into remission at the rate of two annas for each day, subject to the condition that not more than 60 days' remission should be granted to any one prisoner in a year.

(4) Prisoners employed on non-remunerative or untasked labour in jails will also be allowed to earn gratuity at the specified rates and to convert the gratuity into remission at the rate of two annas for each d ay, subject to the condition that not more than 60 days' remission should be granted to any one prisoner in a year.

contd)

The Superintendent may grant gratuity or remission to a prisoner not on tasked labour, if he is satisfied that the industry and exertion of the prisoner have been such as would have entitled him to the concessions if he had been employed on a form of labour which is susceptible of being tasked.

(5) To ensure that the system of gratuity operates with as little unevenness as possible, the Superintendent should fix a high standard of minimum outturn of work in the case of professional or habitual prisoners employed on tasked labour.

(6) The remission to be allowed to a prisoner whether on tasked or untasked labour should not exceed the limits prescribed in Rule 304 of the Mysore Jail Manual.

(7) Prisoners specified in sub-rules (1) and (4) above may, at the discretion of the Superintendent, be permitted to utilise up to half the amount of the monthly gratuity earned by them under the foregoing rules for purchasing small comforts such as tobacco, snuff, jaggery, sweets etc. in moderate quantities for strictly personal requirements, the distribution of which shall be so regulated as to prevent other prisoners sharing in the concession.

(8) The expenditure on account of gratuity to prisoners on tasked labour will be met from the provision "19 Jails, 3 Jail Manufactories", and the expenditure on account of gratuity to prisoners on untasked labour from the provision under "Miscellaneous Services and Supplies" under "19 Jails - 2 Jails and Lock-ups".

(3) Insert the following as Rule 314 A.

"314 A Convicts sentenced to terms of imprisonment of two years and below and entitled to the benefit of gratuity under rule 314 shall, in lieu of the amount of gratuity earned by them, be granted remission in days calculated at the rate of two annas per day. The remission so granted shall be in addition to the remission earned by them under Chapter XX.

Note:- (1) Convicts undergoing terms of imprisonment above two years shall be given the option of converting the gratuity earned by them, into extra remission under this rule, if they elect to do so subject to Rule 306. The option once exercised shall be final.

(2) For the purpose of the above rule, amounts less than one anna shall be ignored and annas one and above taken as two annas while converting the gratuity.

By order,
Secretary to Government,
Law Department.

To

The Inspector General of Prisons in Mysore.
The Comptroller to Government.

KNNS.

Extracts from the opinion of the I.G. of Prisons on the recommendations of the Prison Reforms Committee

8

Recommendation 162 — The Prisoners should be permitted to dispose of a certain portion of the gratuity, not exceeding one-half, for his own needs and comforts in jail, and the rest should be accumulated for his benefit and made over after the expiry of his sentence

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I.G. of Prisons opinion thereon — I agree. A rule may be made to provide for this.

MKW
23/6

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

Section

File No.

Serial No.

General and Revenue Secretariat

( )

the *194*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 194

Signed by .....

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Read— Recommendation No.162 of the Prison Reforms Committee regarding Prisoner's power of disposing of a part of his gratuity.

Order No. Dated.

The Prison Reforms Committee recommend in paragraph 10 of Chapter VII of their Report, that a prisoner should be permitted to dispose of a certain portion of his gratuity, not exceeding one-half, for his own needs and comforts in Jail, and that the rest should be accumulated for his benefit and made over after the expiry of his sentence.

The I.G. of Prisons agrees with the Committee.

Government are pleased to accept the recommendation of the Committee and direct accordingly the addition of the following as rule 314 B of the

10

325A

~~314 B.~~ of the rules in the Jail Manual--

"314 B. (1) Convicts ~~shall be permitted to utilise up to half the amount of monthly gratuity earned by them~~ for their own needs and comforts in jail as ~~permitted by~~ detailed sub-rule 7 of ~~the~~ Rule 361 A.

(2) The unspent balance of gratuity shall be allowed to accumulate and be paid to them on release."

convicts officers shall be permitted to dispose of as portion of the amounts earned by them under these provisions of this Chapter, not exceeding one-half, for

4-6-42

Secretary to Government,
Law Department.

NMW 1/8

To,

The I. G. of Prisons

" Comp^r to Govt

" Dist. Magistrates of Ots

KNNS.

Press Table

List of Enclosures

Copied by

Examined by

WD 087—GPB—40,000—14-11-40

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

(·)

the *193*

Date of issue 193

Signed by .....

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section. Pris

File No. 2-42

Serial No. 22

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Recommendation No. 162 of the Prison Reforms Committee regarding Prisoner's power of disposing of a part of his gratuity.

Order No. P2690-2700-Dated. 10-10-42.

Under the rules contained in the Jail Manual monetary payments are made to ~~Order thereon.—No.~~ convicts of the First and Second Classes coming under the remission system and to convict officers graduated according to their ranks. There is however no rule regulating the manner in which these payments may be disposed of by convicts. The Prison Reforms Committee recommend in

paragraph

paragraph 10 of Chapter VII of their report, that a prisoner should be permitted to dispose of a certain portion of this amount ~~gratuity~~, not exceeding one-half, for his own needs and comforts in Jail, and that the rest should be accumulated for his benefit and made over after the expiry of his sentence.

The Inspector General of Prisons agrees with the Committee.

Government are pleased to accept the recommendation of the Committee ~~and hereby extend to prisoners in respect of the amount earned under~~ direct accordingly the addition of the following as rule ~~314-B of the~~ 325 A of the rules in the Jail Manual "~~314-B~~ "325A.

(1) Convicts and convict officers shall be permitted to dispose of a portion of the amount earned by them under the provisions of this Chapter, not exceeding one-half, for their own needs and comforts in jail as detailed by sub-rule (7) of rule 361 A.

(2) The unspent balance of the ~~amount gratuity~~ shall be allowed to accumulate and

acceptance of this recommendation places Rules 314 & 321 the same privilege which has been extended to them in G.O. No. P.882-83 Pris 2-4 dated 4th August 1942, in respect of gratuity earned for extra work. They

List of Enclosure

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

and be paid to them on release."

Secretary to Government,
Law Department.

To

The I. G. of Prisons,
The Comptroller to Government.
The District Magistrates of [illegible] Districts.
The Press Table

LC

WD 0522 GPB—7,500—16-2 37

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

14

R e a d:

Recommendation No. 162 of the Prison Reforms Committee regarding prisoner's power of disposing of a part of his gratuity.

ORDER NO. P 2690-2700/PRIS. 2-42-22,

DATED, BANGALORE, THE 10TH OCTOBER 1942.

Under the rules contained in the Jail Manual, monetary payments are made to convicts of the First and Second Classes coming under the remission system, and to convict officers graduated according to their ranks. There is however no rule regulating the manner in which these payments may be disposed of by convicts. The Prison Reforms Committee recommend in paragraph 10 of Chapter VII of their report that a prisoner should be permitted to dispose of a certain portion of this amount, not exceeding one-half, for his own needs and comforts in Jail, and that the rest should be accumulated for his benefit and made over after the expiry of his sentence.

The Inspector-General of Prisons agrees with the Committee.

Government are pleased to accept the recommendation of the Committee. The acceptance of this recommendation thereby extends to prisoners in respect of the amount earned under Rules 314 to 321, the same privilege which has been extended to them in Government Order No. P. 882-83/Pris. 2-42-9, dated the 4th August 1942, in respect of gratuity earned for extra work. They direct accordingly the addition of the following as rule 325 A of the Rules in the Jail Manual --

"325 A. (1) Convicts and convict officers shall be permitted to dispose of a portion of the amount earned by them under the provisions of this Chapter, not exceeding one-half, for their own needs and comforts in jail as detailed by sub-rule (7) of rule 361 A.

(2) The unspent balance of the amount shall be allowed to accumulate and be paid to them on release."

Sd/- C. Narayanaswamy Naidu,
Secretary to Government,
Law Department.

To

The Inspector-General of Prisons in Mysore.
The Comptroller to Government of Mysore.
The District Magistrates of Districts.

Press Table.

/2.

15

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 2690-2700—Pris. 2-42-22, dated 10th October 1942

Prison Reforms Committee.

Accepts Recommendation No. 162 of the —— regarding prisoner's power of disposing of a part of his gratuity.

READ—

Recommendation No. 162 of the Prison Reforms Committee regarding prisoner's power of disposing of a part of his gratuity.

ORDER No. P. 2690-2700—PRIS. 2-42-22, DATED BANGALORE, THE 10TH OCTOBER 1942.

Under the rules contained in the Jail Manual, monetary payments are made to convicts of the First and Second Classes coming under the remission system, and to convict officers graduated according to their ranks. There is however no rule regulating the manner in which these payments may be disposed of by convicts. The Prison Reforms Committee recommend in paragraph 10 of Chapter VII of their report that a prisoner should be permitted to dispose of a certain portion of this amount, not exceeding one-half, for his own needs and comforts in Jail, and that the rest should be accumulated for his benefit and made over after the expiry of his sentence.

The Inspector-General of Prisons agrees with the Committee.

Government are pleased to accept the recommendation of the Committee. The acceptance of this recommendation thereby extends to prisoners in respect of the amount earned under Rules 314 to 321 the same privilege which has been extended to them in Government Order No. P. 882-83—Pris. 2-42-9, dated the 4th August 1942, in respect of gratuity earned for extra work. They direct accordingly the addition of the following as rule 325-A of the rules in the Jail Manual :—

"325-A. (1) Convicts and convict officers shall be permitted to dispose of a portion of the amount earned by them under the provisions of this Chapter, not exceeding one-half, for their own needs and comforts in jail as detailed by sub-rule (7) of rule 361-A.

(2) The unspent balance of the amount shall be allowed to accumulate and be paid to them on release."

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

To—The Inspector-General of Prisons in Mysore.
The Comptroller to Government of Mysore.
The District Magistrates of Districts.
PRESS TABLE.

Exd.—B. G. S.

WD 918—GPB—100—28-12-45.